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CONGRESS AND GATES: A STEP TOWARD 'RE-ESTABLISHING TRUST'
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FILE ONLY

After a decade of stop-and-go supervision of the nation's spies, the Senate Intelligence Committee is using the nomination of a new CIA director to try again to rein in an agency once condemned as a "rogue elephant." The opportunity is provided by the resignation of CIA Director William J. Casey and the confirmation hearing for his proposed successor, Casey's deputy, Robert M. Gates.

The secret sale of arms to Iran, described by Gates as "a risky gamble" that in hindsight should not have been tried, was one of hundreds of covert operations initiated by a president since the end of World War II.

Until the Senate and House intelligence committees were made permanent institutions in 1976, most of these operations were conducted in the shadows, outside the reach of regular congressional oversight.

Assassination plots, experimentation with mind-altering chemicals, the organization of coups all were included in the characterization of the CIA by the late Sen. Frank Church as a "rogue elephant" resistant to the control of Congress during the 1970s.

Since 1976, Congress has sought to make oversight of covert operations a matter of expected routine.

But lawmakers had increasingly complained that information has been grudgingly and sparingly provided by Casey's CIA.

Sen. William Cohen, R-Maine, vice chairman of the Senate Intelligence Committee, has said that to get information from Casey, even behind closed doors, one had to ask precisely "the right question" and even then senators could count on getting only "half the right answer." Gates promised to end that. In testimony Tuesday and Wednesday, he repeatedly pledged to be forthcoming and forthright. He acknowledged the CIA made mistakes in helping the National Security Council facilitate the Iranian arms sales.

Under questioning, he finally said he would feel it his duty as CIA director to report to the panel on any illegal intelligence activity by any U.S. agency, including the NSC.

For his part, Sen. David Boren, D-Okla., the Senate panel's new chairman, has promised to guarantee that the CIA's secrets remain secret.

On the other hand, Boren and his committee want no more surprises about what U.S. agents are up to.

That goal of secrets shared and secrets kept can be achieved, both Gates and senators agree, only if a "relationship of mutual security and trust" is nurtured and sustained.

Gates said he believes the oversight committees should be told in advance about covert operations, except in emergencies when he said there might be justification for delaying for "several days." He said if he had felt the relationship of trust with Congress was in danger because knowledge of a covert

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operation had been withheld, he would "contemplate resignation." Several senators said they are unconvinced Gates did all he could have done to make sure the CIA stayed within bounds at two key flashpoints during the Iran-Contra episode.

Some said Congress should have been told when NSC aide Lt. Col. Oliver L. North asked the CIA to make available a charter flight by an agency-owned aircraft to ferry what turned out to be a cargo of U.S. arms into Iran.

Others said Gates should have told Congress immediately when he was informed by a senior CIA analyst on Oct. 1 that disgruntled international arms dealers might expose the secret contacts with Iran by claiming that profits from the arms sales had been diverted to the Contras.

The confirmation process, Gates said, has been a healthy ordeal which helped get the facts on the table.

And as the public phase of the process closed, both the nominee and key senators agreed progress had been made.

Cohen told reporters, "I would say he has taken a very large step toward reestablishing trust." EDITOR'S NOTE: Lawrence L. Knutson covered the congressional investigation into illegal activities by the CIA a decade ago and is now one of the AP reporters covering the Iran-Contra affair.